

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

v.

ALLAN POLLER,

Defendant.

Case No. 23-mj- 59-01-AJ

AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT

I, Wesley R. Garland, depose and state as follows:

INTRODUCTION AND BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been so employed since January 2019. My duties, responsibilities, and training as a Special Agent with the FBI include investigating violations of federal law. I am assigned to the FBI’s Joint Terrorism Task Force and have experience investigating national security threats, to include international and domestic terrorism. I am authorized to investigate violations of the laws of the United States and to execute warrants issued under the authority of the United States.

2. The information set forth in this affidavit is based on my personal participation in this investigation, as well as my training and experience, and information received from other law enforcement officers. I have not set forth every detail I or other law enforcement agents know about this investigation but have set forth facts that I believe are sufficient to evaluate probable cause for the issuance of the requested complaint.

3. I submit the facts below to establish probable cause to believe that Allan POLLER has committed the crime of transmitting in interstate commerce a communication containing a threat to injure the person of another, in violation of 18 U.S.C. § 875(c).

PROBABLE CAUSE

4. On or about March 29, 2023, at approximately 12:20 A.M., a call was placed from a cellular telephone assigned a phone number ending in 8931 to the congressional office of a member of the United States House of Representatives in Washington, DC. The call was not answered and went to voicemail. The caller left the following message:

Hi, my name is Allan Poller, A-L-L-A-N P-O-L-L-E-R, phone number []8931. And I just want to let you know, Representative [Name], if you keep on coming for the gays, we're gonna strike back and I guarantee you, you do not want to fuck with us. We will kill you if that's what it takes. I will take a bullet to your fucking head if you fuck with my rights anymore. And then if you want to keep going down that path, you know who's next.

5. A records search confirmed that the phone number ending in 8931 is subscribed via U.S. Cellular to Allan B. POLLER with the most recent subscriber address in Springfield, Vermont.

6. A United States Capitol Police officer determined via open source records that POLLER is currently a student at Keene State College. The Capitol Police relayed the above information to an officer of the Keene (NH) Police Department. Keene police and Keene State College campus security contacted POLLER outside his classroom. POLLER admitted to leaving the voicemail. POLLER stated that he did not actually plan to harm others or himself, does not own firearms, and was emotional and intoxicated when he left the voicemail. POLLER provided a current address of residence in Keene, New Hampshire.

CONCLUSION

7. Based on the foregoing, I submit that there is probable cause to believe that POLLER made the above-referenced threat to injure the person of another in an interstate communication, in violation of 18 U.S.C. § 875(c).

/s/ Wesley R. Garland
Wesley R. Garland, Special Agent
Federal Bureau of Investigation

The affiant appeared before me by telephonic conference on this date pursuant to Fed. R. Crim. P. 4.1 and affirmed under oath the content of this affidavit.

Andrea K. Johnstone



HON. ANDREA K. JOHNSTONE
United States Magistrate Judge
Mar 31, 2023